

Attachment 2

EXHIBIT B MINOR USE PERMIT FINDINGS

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on April 24, 2014 for this project. Mitigation measures are proposed to address aesthetics, biological resources, cultural resources, and public services/utilities and are included as conditions of approval.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because all future uses as conditioned will be consistent with all of the General Plan policies.
- C. As conditioned, the proposed project satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Ninth Street, a local road constructed to a level able to handle any additional traffic associated with the project.

Coastal Access

- G. The project site is located between the first public road and the ocean. The project site is within an urban reserve line (Los Osos) and an existing coastal access point exists within 1600 feet of the project site (Elfin Forest coastal access), and the project is conditioned to provide a lateral access dedication along the bay; therefore, the proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act.

Sensitive Resource Area

- H. The development will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will

Attachment 2

preserve and protect such features through the site design, because the project is set back 50 feet (as required) from the Estero bay.

- I. Natural features and topography have been considered in the design and siting of all proposed physical improvements because the addition was revised to meet the required wetland setback.
- J. The proposed clearing of topsoil, trees, is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource, because all work will be accompanied by habitat restoration and all trees removed will be replaced at a 4:1 ratio.
- K. The soil and subsoil conditions are suitable for any proposed excavation and site preparation and drainage improvements have been designed to prevent soil erosion, and sedimentation of streams through undue surface runoff.

Archeological Sensitive Area

- L. The site design and development incorporate adequate measures to ensure that archeological resources will be acceptably and adequately protected because the project includes data recovery and monitoring.
- M. The site design and development cannot be feasibly changed to avoid intrusion into or disturbance of archaeological resources. Construction will use appropriate methods to protect the integrity of the site. Such methods include a monitoring plan for all construction activities and data recovery.

Water Resources

- N. The capacities of available water supply and sewage disposal services are sufficient to accommodate the proposed addition because the project is an addition to an existing residence with no new bedrooms or bathrooms and will not increase water use at the site.

No New Septic

- O. The proposed project is consistent with the Regional Water Quality Control Board's moratorium because the addition to the residence will not result in any new bedrooms or bathrooms and will not increase septic discharge at the site.